

City of San Diego

CONTRACTOR'S NAME: _____

ADDRESS: _____

TELEPHONE NO.: _____ FAX NO.: _____

CITY CONTACT: Contract Specialist, Email: _____

Phone No. (619) 533-34XX, Fax No. (619) 533-3633

PM/SE/CPC

REQUEST FOR QUALIFICATIONS DOCUMENTS

(Step 1 of 2)

(DRAFT)

MULTIPLE AWARD DESIGN-BUILD CONTRACTS
(MACC) FOR



FOR

[PROJECT TITLE]

RFQ NO.: _____

SAP NO. (WBS/IO/CC): _____

CLIENT DEPARTMENT: _____

COUNCIL DISTRICT: _____

PROJECT TYPE: _____

THIS PROJECT IS SUBJECT TO THE FOLLOWING:

- PHASED-FUNDING
- THE CITY'S SUBCONTRACTING PARTICIPATION REQUIREMENTS FOR SLBE PROGRAM.
- FEDERAL EQUAL OPPORTUNITY CONTRACTING REQUIREMENTS.

➤ PREVAILING WAGE RATES: STATE ☐ FEDERAL ☐

➤ APPRENTICESHIP

➤ THIS IS A [insert name of the agency] FUNDED CONTRACT THROUGH THE DEPARTMENT OF
[insert name of the department].

➤

STATEMENTS OF QUALIFICATIONS (SOQs) DUE:

12:00 NOON

CPC: [INSERT DUE DATE FOR SOQs]

CITY OF SAN DIEGO

PUBLIC WORKS CONTRACTS

1010 SECOND AVENUE, 14th FLOOR, MS 614C

SAN DIEGO, CA 92101

ATTN: CONTRACT SPECIALIST

REQUEST FOR QUALIFICATIONS

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1. INTRODUCTION

- 1.1 PURPOSE:** The City of San Diego (City) is requesting Statements of Qualifications (SOQ) for Multiple Award Design-Build Contracts, also known as Multiple Award Construction Contracts (MACC), pursuant to §22.3310 of the San Diego Municipal Code. This is a solicitation for **TYPE OF SERVICES REQUIRED** (Projects) by means of indefinite delivery indefinite quantity (IDIQ) multiple award construction contract.
- 1.2 NUMBER OF CONTRACTS TO BE AWARDED:** This Request for Qualifications (RFQ) is the first step in the procurement process for the award of multiple Design-Build projects. Upon completion of the RFQ phase, the City in its sole discretion may award no less than 3 and no more than 5 contracts to the firms deemed most highly qualified based upon the RFQ Criteria.
- 1.3** The City will not reimburse Design-Builders for costs incurred in the preparation, submittal and participation in the RFQ process.
- 1.4** This RFQ does not commit the City to award a contract, or to procure or contract for work.
- 1.5 SUMMARY OF WORK:** The City is seeking to acquire Design-Build services for Design-Build projects to include **BRIEF DESCRIPTION OF PROJECTS**. Work and Services required of the Design-Builder will include design, construction, and startup of the Project. The Design-Builder shall provide all management, supervision, labor, services, temporary facility, equipment, tools, supplies, and any other item needed to complete the design and construction, as described in Attachment A.
- 1.6 PERFORMANCE PERIOD:** The performance period for each contract awarded will include an initial base period of 1 year with two additional 1 year option periods for a total performance period of three (3) years. Contracts will automatically renew unless cancelled by the City.
- 1.7 FORMAT RECEIPT AND OPENING OF SOQs:** SOQs will be received in electronic format (eBids) EXCLUSIVELY at the City of San Diego's electronic bidding (eBidding) site, at: <http://www.sandiego.gov/cip/bidopps/index.shtml> and are due by the date, and time shown on the cover of this solicitation.
- 1.8 SUBMITTERS MUST BE PRE-REGISTERED** with the City's bidding system and possess a system-assigned Digital ID in order to submit and electronic proposal.
- 1.9** The City's bidding system will automatically track information submitted to the site including IP addresses, browsers being used and the URLs from which information was submitted. In addition, the City's bidding system will keep a history of every login instance including the time of login, and other information about the user's computer configuration such as the operating system, browser type, version, and

more. Because of these security features, Contractors who disable their browsers' cookies will not be able to log in and use the City's bidding system.

- 1.10** Upon entry of their SOQ, the system will ensure that all required fields are entered. **The system will not accept an SOQ for which any required information is missing.** This includes all necessary pricing, subcontractor listing(s) and any other essential documentation and supporting materials and forms requested or contained in these solicitation documents.
- 1.11 SOQs REMAIN SEALED UNTIL DUE DATE AND TIME.** Electronic submissions are transmitted into the City's bidding system via hypertext transfer protocol secure (https) mechanism using SSL 128-256 bit security certificates issued from Verisign/Thawte which encrypts data being transferred from client to server. SOQs submitted prior to the Due Date and Time are not available for review by anyone other than the submitter, who will have until the Due Date and Time to change, rescind or retrieve its proposal should they desire to do so.
- 1.12 SOQs MUST BE SUBMITTED BY DUE DATE AND TIME.** Once the deadline is reached, no further submissions are accepted into the system. Once the Due Date and Time has passed, bidders, proposers, the general public, and City staff are able to immediately see the results on line. City staff may then begin reviewing the submissions for responsiveness, Equal Opportunity Contracting Program (EOCP) compliance and other issues.
- 1.13 RECAPITULATION OF THE WORK.** SOQs shall not contain any recapitulation of the Work. Conditional SOQs may be rejected as being non-responsive. Alternative SOQs will not be considered unless called for.
- 1.14 SOQs MAY BE WITHDRAWN** by the Submitter prior to, but not after, the time set as Due Date and Time.

 - 1.14.1 Important Note:** Submission of the electronic SOQ into the system may not be instantaneous. Due to the speed and capabilities of the user's internet service provider (ISP), bandwidth, computer hardware and other variables, it may take time for the proposer's submission to upload and be received by the City's eBidding system. It is the proposer's sole responsibility to ensure their SOQs are received on time by the City's eBidding system. The City of San Diego is not responsible for SOQs that do not arrive by the required date and time.
- 1.15 ACCESSIBILITY AND AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE:** To request a copy of this solicitation in an alternative format, contact the Public Works Contract Specialist listed on the cover of this solicitation at least five (5) working days prior to the due date to ensure availability.

1.16 ELECTRONIC SUBMISSIONS CARRY FULL FORCE AND EFFECT

1.16.1 The submitter, by submitting its electronic SOQ, acknowledges that doing so carries the same force and full legal effect as a paper submission with a longhand (wet) signature.

1.16.2 The submitter, by submitting their electronic SOQ, agrees to and certifies under penalty of perjury under the laws of the State of California, that the certification, forms and affidavits submitted as part of this SOQ are true and correct.

1.17 CONTRACTOR REGISTRATION AND ELECTRONIC REPORTING SYSTEM:

1.17.1 Prior to the Award of a Contract or Task Order, you and your Subcontractors and Suppliers must register with the City's web-based vendor registration and bid management system. For additional information go to:

<http://www.sandiego.gov/purchasing/bids-contracts/vendorreg.shtml>

1.17.2 The City may not award a contract until registration of all subcontractors and suppliers is complete. In the event this requirement is not met within the time frame specified in the Notice of Intent to Award letter, the City reserves the right to rescind the Notice of Award / Intent to Award and to make the award to the next responsive and responsible bidder

1.18 SOQs ARE PUBLIC RECORD: Upon receipt by the City, SOQs shall become public records subject to public disclosure. It is the responsibility of the respondent to clearly identify any confidential, proprietary, trade secret or otherwise legally privileged information contained within the SOQ. General references to sections of the California Public Records Act (PRA) will not suffice. If the Design-Builder does not provide supply applicable case law that clearly establishes that the requested information is exempt from the disclosure requirements of the PRA, the City shall be free to release the information when required in accordance with the PRA, pursuant to any other applicable law, or by order of any court or government agency, and the Design-Builder will hold the City harmless for release of this information.

1.19 PUBLIC DISCLOSURE: Selection announcements, contract awards, and all data provided by the City shall be protected from public disclosure. Design-Builder's desiring to release information to the public, shall receive prior written approval from the City.

1.20 CONFLICT OF INTEREST: Any architectural firms, engineering firms, specialty consultants, or individuals previously retained by the City to assist in drafting the Project's preliminary design, General Development Plan or Drawings shall not be eligible to participate in the competition with any Design-Build Entity without the prior written consent of City. Any architectural firms, engineering firms, specialty

consultants, or individuals retained by the City to assist in drafting any Reference Documents or other document that was not prepared specifically for this contract, are considered to be eligible to participate.

2. EQUAL OPPORTUNITY CONTRACTING PROGRAM (EOCP) PROVISIONS

2.1 The City is dedicated to the principles of equal opportunity in the workplace and in subcontracting. It is the City's expectation that firms doing business with the City have and are able to demonstrate the same level of commitment.

2.2 The Design-Builders are encouraged to take positive steps to diversify and expand their Subcontractor solicitation base and to offer subcontracting opportunities to all eligible Subcontractors. The Design-Builder shall comply with requirements of San Diego Municipal Code §§ 22.2701 through 22.2708, Equal Employment Opportunity Outreach Program (EEO Program).

2.3 CONTRACTOR REGISTRATION AND ELECTRONIC REPORTING SYSTEM

2.3.1 Prior to the award of the Contract, the Design-Builder, Subcontractors, and Suppliers must register with the City's web-based vendor registration and bid management system, BidsOnline™ hosted by PlanetBids System. For additional information go to:

<http://www.sandiego.gov/purchasing/bids-contracts/vendorreg.shtml>.

2.3.2 Following the award of the Contract, the Design-Builder will be required to use the City's web-based contract compliance application for EOCP reporting purposes e.g., Weekly Certified Payroll, Monthly Employment Utilization, and Monthly Payments. Online tutorials are available at:

<http://stage.prismcompliance.com/etc/vendortutorials.htm>

2.3.3 The City may retain progress payments if:

2.3.3.1 The non-registered Design-Builder, Subcontractors, or Suppliers fail to register,

2.3.3.2 EOCP reporting is delinquent or inadequate, or

2.3.3.3 Underpayment has occurred.

2.4 For additional Equal Opportunity Contracting Program requirements see Attachment E.

3. ESTIMATED PROJECT COST: The cumulative value of all contracts awarded through this solicitation will not exceed \$_____ for the total performance period (i.e., base period plus all options).

- 3.1** The minimum Task Order guaranteed is \$5000 per Contract over the full term of the Contract, including any options. To receive the minimum guarantee, the Design-Builder must have submitted responsive Proposals to all RFPs in the first year of this contract, and not have been awarded any Task Order. Typical projects will have an estimated construction cost between \$_____ and \$_____.

4. PROJECT DESCRIPTION: See Attachment A.

5. PROJECT SCHEDULE

- 5.1** The following milestones are provided for reference only. All dates are tentative and are subject to change.

- 5.1.1** Pre-submittal Meeting
- 5.1.2** SOQ due date
- 5.1.3** Shortlist Finalists
- 5.1.4** Interviews
- 5.1.5** Selection and Notification
- 5.1.6** Receipt of Bonds and Insurance Certifications
- 5.1.7** Notice to Proceed
- 5.1.8** Mandatory Outreach Meeting

6. STATEMENT OF QUALIFICATIONS REQUIREMENTS

6.1 GENERAL

- 6.1.1** Design-Builders interested in participating on this MACC as a Prime Contractor shall be pre-qualified.

- 6.1.1.1** All Design-Builder applicants must submit a complete prequalification application online to the Public Works Contracts, Prequalification Program **no later than 2 weeks prior to the SOQ due date and time.** Complete information and links to the online prequalification application are available at:

<http://www.sandiego.gov/cip/bidopps/prequalification.shtml>

- 6.1.1.2** All Design-Builders must be prequalified under the City's Pre-Qualification Program for a minimum of \$10,000,000. Prequalification status for all Design-Builders must be maintained for the term of the MACC.

- 6.1.1.3** Due to the City's responsibility to protect the confidentiality of the contractors' information, City staff will not be able to provide information regarding contractors' prequalification

status over the telephone. Contractors may access real-time information about their prequalification status via their vendor profile on [PlanetBids™](#).

- 6.1.2** The City desires to receive SOQs only from qualified and experienced Design-Builders who demonstrate significant knowledge of Design-Build construction projects, extensive experience and successful performance on public works infrastructure projects of comparable size and scope.

7. PROCUREMENT PROCESS

- 7.1** All properly licensed and pre-qualified Design-Builders will be evaluated and ranked based on past performance, experience and technical qualifications in accordance with Attachment B. The City will, at its sole discretion, interview any or all design-builders who submit an SOQ for the purposes of gaining further information regarding the design-builders' qualifications. Between 3 and 5 of the highest ranked Design-Builders will be selected and awarded a contract.
- 7.2** For future Design-Build Projects during the term of this MACC, the City will solicit Proposals from all the Design-Builders who receive contracts resulting from this RFQ.
- 7.3** The MACC awardees shall submit a responsive Proposal for each Task Order issued. Failure to do so may result in the City, at its sole discretion, terminating the base contract. MACC awardees that fail to submit proposals twice in a twelve month period may have their contract terminated and be ineligible to submit future proposals.
- 7.3** Architectural firms, engineering firms, consultants, or individuals retained by the City to assist in drafting any portion of the Public Utilities Department's Master Plan, and any other document that was not prepared specifically for this Contract are eligible to participate in the competition with any Design-Builders bidding for the Project.
- 7.4** Architectural firms, engineering firms, consultants, or individuals retained by the City to assist in drafting the RFQ, RFP, or the Project's preliminary design are not eligible to participate in the competition with any Contractor bidding for the Project.
- 7.5** The following steps are included in the City's MACC procurement process:
 - 7.5.1** RFQ is issued by the City.
 - 7.5.2** Design-Builders submit SOQs.
 - 7.5.3** The City selects the 3-5 firms determined to be most qualified for a MACC award under this solicitation, and submits the list to the Mayor and City Council for approval.

- 7.5.4 RFPs for any future MACC tasks shall be issued to the selected Design Builders by the City as needed.

8. PRE-SUBMITTAL ACTIVITIES

8.3 SUBMISSION OF QUESTIONS:

- 8.3.1 The Director (or Designee) of Public Works Department is the officer responsible for responding to questions and opening, examining, and evaluating the SOQs submitted to the City for the acquisition, construction, and completion of any public improvement except when otherwise set forth in these documents. All questions related to this solicitation shall be submitted to:

Public Works Contracts
1010 Second Avenue, 14th Floor
San Diego, California, 92101
Attention: Contract Specialist listed on the front cover of this RFQ.

Or:

To the email address of the Contract Specialist listed on the front cover of this RFQ.

- 8.3.2 Questions received less than 14 Days prior to the Statement of Qualifications due date may not be considered.
- 8.3.3 Clarifications or clarifications deemed by the City to be material shall be answered via issuance of an addendum and posted to the City's online bidding service.
- 8.3.4 Only questions answered by formal written addenda shall be binding. Oral and other interpretations or clarifications shall be without legal effect. It is the Design-Builder's responsibility to be informed of any Addenda that have been issued.

8.4 PRE-SUBMITTAL MEETING

- 8.4.1 **Pre-Submittal Meeting:** Design-Builders wishing to submit an SOQ are encouraged OR required to attend the Pre-Submittal Meeting. The purpose of the meeting is to discuss the scope of the Project, submittal requirements, the pre-qualification process and any Equal Opportunity Contracting Program requirements and reporting procedures. To request a sign language or oral interpreter for this visit, call the Public Works Contracts Division at (619) 533-3450 at least 5 Working Days prior to the meeting to ensure availability. Failure to attend the Mandatory Pre-Submittal Meeting may result in the Design-Builder's SOQ being deemed non-responsive. The Pre-Submittal meeting is scheduled as follows:

Date:
Time:
Location:

Attendance at the Pre-Submittal Meeting will be evidenced by the Design-Builder's representative's signature on the attendance roster. It is the responsibility of the Design-Builder's representative to complete and sign the attendance roster.

Design-Builders may not be admitted after the specified start time of the mandatory pre-submittal meeting.

8.4.2 To request a copy of the agenda in an alternative format, or to request a sign language or oral interpreter for this meeting, call the Public Works Contracts Division at (619) 533-3450 at least 5 Working Days prior to the Pre-Submittal Meeting to ensure availability.

8.4.3 Pre-Submittal Site Visit: Design-Builders wishing to submit an SOQ are encouraged OR required to visit the Work Site with the Engineer. The purpose of the Site visit is to acquaint Design-Builders with the Site conditions. To request a sign language or oral interpreter for this visit, call the Public Works Contracts Division at (619) 533-3450 at least 5 Working Days prior to the meeting to ensure availability. A Pre-Submittal Site Visit is scheduled as follows:

Time:
Date:
Location:

8.5 REVISIONS TO THE RFQ: Any changes to the Contract Documents through addendum are made effective as though originally issued with the solicitation. The Design-Builders shall acknowledge the receipt of any Addenda at the time of SOQ submission.

9. ADDITIONAL TERMS AND CONDITIONS

9.3 CITY'S RIGHT TO CANCEL: City reserves the right to cancel, in part or in its entirety, this RFQ including but not limited to: selection schedule, submittal date, and submittal requirements. If the City cancels or revises the RFQ, all potential Design-Builders will be notified in writing by the City.

9.4 INTERVIEWS: The City reserves the right to interview and request additional information and clarifications from any responders to RFQ.

9.5 ALLOCATION OF RISK:

9.5.1 The selected Design-Builder shall indemnify and hold harmless the City for claims, suits, losses or damages arising out of the negligent acts, errors, or

omissions of the Design-Builder, Subcontractors, or Subcontractors attributable to the design effort.

9.5.2 This RFQ contains a preliminary risk matrix for the project, which summarizes the anticipated allocation of risk between the City and the selected firm. This preliminary risk matrix is not intended to describe all anticipated risk for the Project. As Project activities progress, the risk allocation may be expanded and revised as necessary to ensure the most efficient allocation of risk between the City and the Design-Builder.

9.6 PRE-DESIGN AND DESIGN REPORTS: The Design Builder's proposal shall ultimately serve as the Pre-Design Report. If there is a change in design from what was originally submitted as the Design Builder's Proposal, a Design Report shall be required.

9.7 PREVAILING WAGE RATES: Prevailing wage rates will apply to this contract.

ATTACHMENTS